App F IX 4

Previous References

1946 '47
(md)

File No 126-46
Serial Nos 43 44

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for 1946-47

SUBJECT

Acquisition of Door Nos 1366, 1367 & 1368 situated in Narayana Pathy Road Devaraja Mohalla Mysore

K 1044 By 7 11 47.

The Chairman
CIT Board Mysore

Direct that the - - may be dropped

8936

Petition from Mr Silva Rao and others -
Narayana Sastry Road - Devaraja Mohalla -
Mysore praying for the cancellation of the
Assessment proceedings re Door Nos 1366,
1367 and 1368 - in the Narayana Sastry Road
Mysore

Minister's order

I shall inspect the place when I
visit Mysore next -

Sd/- T C M R

Forwarded with a draft endorsement -

[illegible]
30/VII/47

To
Mr Silva Rao & others - Devaraj Mohalla
Through Mr P Sivanandan - Advocate -
Bihac

L 15396 dt 2-5-47

Endorses as accordingly -
L 15397 dt 2-5-47
Copy to Chairman C & T - Municipality

£936
C

The file will be sent to the Office of the Minister for Education / and Public Health

2/-

Yr obdt Servt
for SHSW

I have inspected this place
The owners of these properties
are very poor and are eager
to rebuild their homes, accord-
ing to approved plan. These
properties need not be acquired
and the owners may be asked
to build houses on their sites
according to approved plans

JHS
18/10/47

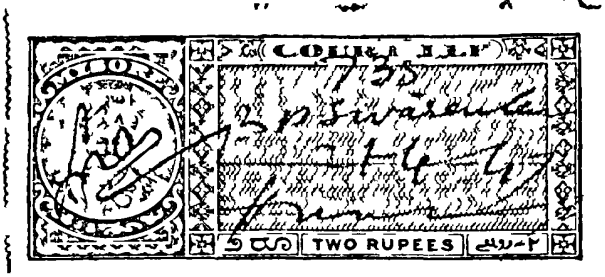
Dft telephone
for SHSW

OFFICE OF THE MINISTER FOR EDUCATION
DATE 1948
No 2771

GOVERNMENT
20/10
TYPING SECTION
4 NOV 1947

A draft letter to [illegible]
Ma 31/10
B Ma 3/11 Re 31/10/47 To Mr Chan [illegible] 2106142 [illegible] SHSW

Mr 124-46-43



x 936

BEFORE THE HON'BLE MINISTER FOR EDUCATION AND PUBLIC HEALTH,
GOVERNMENT OF MYSORE, BANGALORE

To the HON'BLE THE MINISTER
For EDUCATION &c P H
Date 22 4 47
No. 1284

Petitioners - 1 Shivanna,
Residing at Door No 1366, Narayana Sastry Road, Devaraja Mohalla, Mysore

2 Gowramma, Door No 1367, Narayana Sastry Road, Devaraja Mohalla, Mysore

3 Subba Rao, Door No 1368, Narayana Sastry Road, Devaraja Mohalla, Mysore

I shall inspect the place when I visit Mysore next

22/4/47

Rev fee

RE Acquisition of Door Nos 1366, 1367 and 1368 situated in Narayana Sastry Road, Devaraja Mohalla, Mysore

The Petitioners abovenamed most respectfully beg to state as follows -

1 The Petitioners are the owners of the above three Houses respectively being handed down to them by their ancestors They and their families are living - in them all the time The Petitioners have no other - property or properties of their own in Mysore

2 The Mysore City Improvement Trust Board approached the Government with a view to acquire the above properties and to give it over to a private individual - for the construction of Krishna Mandir The Government, in their Order dated 13-11-1946, have clearly pointed out that, as it is not for a public purpose, the proposal - could not be sanctioned

3 The Mysore City Improvement Trust Board has again approached the Government and has somehow got over

over the Order dated 13-11-1946 referred to above, and has notified the said properties for Acquisition.

4 The Mysore City Improvement Trust Board has already acquired the vacant land belonging to the Third Petitioner and adjacent to his house nearly two years back The said acquired land was given - to a purpose which "would not be strictly for a public purpose "

5 The Petitioners are prepared to pull down the present old constructions and put up new buildings in their places With this view, they applied for Licenses to build in the middle of the year 1945 But till now no Endorsement or Communication has b e e n given to the Petitioners by the Municipality though nearly two years have gone by The Petitioners are well aware of the Law in this respect They h a d every liberty to proceed with the constructions But they did not like to undertake the construction without the express consent of the Municipality,which the Trust Board has taken undue advantage of

6 The Petitioners are aware that it is the avowed policy of the Government not to unnecessarily throw out poor people from their houses through the process of Acquisition, particularly these days when the problem of housing is so acute, unless it is for a public purpose beyond any doubt

7 The purpose,for which the present Acquisition has been started,-namely the construction of a "Krishna Mandir" by a private individual for t h e exclusive use of the members of his family and a few others, could not be called by any stretch of imagination that it is meant for public purpose

8 If

8 If it is the intention of the Trust Board to clear the old structures and to put up new ones on approved lines, the Petitioners themselves are prepared to do that, and have ~~xtx~~ already taken a step in this direction by applying for Licenses to put up new constructions nearly two years back

9 The said properties are situated in a very important and thriving locality and, if the poor Petitioners are deprived of their houses, they will be almost thrown out to the streets and would be dishoused - at a time when the problem of housing is so largely confronting the whole country

10 An inspection of the spot by the Government would clearly point out that the said properties will not be required for any "Public purpose" greater than the useful purpose these buildings are serving to ~~xtx~~ their poor owners at present

W h e r e f o r e , in view of the above and in view of the Government Order dated 13-11-1946, the Petitioners most humbly P R A Y that the Government be pleased to cancel the proposed Acquisition as it is definitely found to be not for a public purpose

The Petitioners further pray that an "Interim Order for Stay" be granted directing the Trust Board of Mysore City not to take any action in the matter, pending the disposal of this petition by the Government

Bangalore,
Dated 21-4-1947

Advocate for Petitioners

Advocate for
Petitioners.

MIR IQBAL HUSSAIN
K GURUSHAH
P SIVA SHANKAR
ADVOCATES
COTTONPET SQUARE
BANGALORE CITY

COURT FEE FOUR ANNAS JT-P

In the court of Before the Hon'ble Minister for Education and Public Health in Mysore

BANGALORE.

No — 194 — 194

Plaintiff—Petitioner / Appellant } V { Defendant—Opponent / Respondent

Swamy and two others

COURT FEE FOUR ANNAS JT-P

VAKALATNAMA

executed by the petitioners in favour of

Messrs MIR IQBAL HUSSAIN B.A. B.L.
K GURUSHAH B.A. B.L.
P SIVA SHANKAR B A LL B
New Extension, Seshadripur, Bangalore City

I/We hereby empower the said advocates in person or by proxy on my/our behalf to appear in and conduct the above case as well as any proceedings arising out of and connected with the same either during its progress or after its decision to execute any decree that may be passed therein in my/our favour to withdraw compromise or refer to arbitration the said suit and to do all such acts as may be proper and necessary for the due conduct thereof including the signing and presentation in courts of the necessary petitions and papers

And I/We further authorize the said advocates to receive and give receipts for any money document or other movable property that is or may become payable to me/us in the course of the said case or proceedings

Bangalore
21 - 4 - 1947

ಹೆಚ್ಚುವರಿ
ಕಾರ್ಯದರ್ಶಿ
S Subba Rao

We know the executant who have signed before me

P. Siva Shankar

Accepted
P. Siva Shankar
Advocates

S G N PRESS B CITY

L 15396
d 2/5/47

To

Enclosure sent with to Mr Subba Rao
and others — Narayana Sastry Road — Devaraja
Mohalla — Mysore
(Through P S Venkatachar Esqr B A B L Advocate,
Cottonpet square — Bangalore City)

In reply to their petition dated 21-4-47,
addressed to the Minister for Education and
Public Health praying for the cancellation of
the acquisition proceedings in respect of
properties nos 1366, 1367 and 1368, situated on
Narayana Sastry Road — Devaraja Mohalla —
Mysore, the petitioners are informed that the
Minister for Education & P.H. will inspect
the place when he visits Mysore next

L 15397/d 2/5/47
Memo No. d

By order
for Secretary
to Govt

Copy w-c to the Chairman, C & T Board
Mysore for info & necessary action

By order
for Secretary to Govt

Appendix F C -1]

SUBJECT

Section mil
File No 126-46
Serial No 44

Diary No of letter replied to

No L 10614
O

General and Revenue Secretariat

( )

the 194

To

The chairman, C S T
Board, Mysore

Date of issue 7-11-47

Signed by M G R Rao

Sir,

In continuation
memo
this office ~~letter~~ No L 15397
& 2-5-47 forwarding
a copy of endorsement
No L 15396 & 2-5-47
granting to Mr Subba Rao
& others re their prayer
for the cancellation of
the acquisition proceedings
in respect of properties
bearing D Nos 1366, 1367
and 1368 in Narayana

List of enclosures

Copied by

Examined by

WD 02 4 —G1B—2,000—24 6 46

Sasley Road, Dewaraja Mohalla,
Mysore, I am directed to
state that as the owners of these
properties are very poor and
are eager to rebuild their
houses according to approved
plan, ~~I am therefore to~~ it
~~that~~ these properties need not
be acquired and that the
owners may be asked to
build houses on these plots
according to approved plans

I have etc

for Secretary

By
31-10-47